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Corporation; Polo Retail, LLC; Polo Ralph Lauren
16 Corporation, doing business in California as Polo Retail
Corporation; and Fashions Outlet of America, Inc.
17

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, and
21 individual; and JUSTIN KISER, an individual;
and on behalf of all others similarly situated,
22

Plaintiff,

23 v.

24 POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,
25

Defendants.
26

27 AND RELATED CROSS-ACTIONS.
28

Case No. C07-02780 SI

**FASHIONS OUTLET OF AMERICA,
INC.'S MEMORANDUM OF POINTS
AND AUTHORITIES IN OPPOSITION
TO PLAINTIFF AND CROSS-
DEFENDANT JUSTIN KISER'S
MOTION TO DISMISS THE
COUNTERCLAIMS OF FASHIONS
OUTLET OF AMERICA, INC.**

Date: November 9, 2007

Time: 9:00 a.m.

Dept: Courtroom 10, 19th Fl.

Judge: Hon. Susan Illston